

Notice of Allowability

Application No.

10/695,136

Examiner

Gregory J. Strimbu

Applicant(s)

TSUCHIDA, HIDESHI

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 11/18/04 and the tele. int. of 2/3/05.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ The drawings filed on 18 November 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>2/3/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian R. Tumm on February 3, 2005.

The application has been amended as follows:

In the abstract:

changed line 8 to --. The partition, glass run and die-molded portion each include a water receiver composed of--

line 9, changed "formed in" to --extending along--

line 15, changed the first occurrence of "the" to --each--

line 16, changed "a" to --the-- and changed "The" to --Each--

line 19, deleted "of the die-molded portion"

In the claims:

rewrote claim 1 as follows:

--1. A sealing structure for a vehicle comprising:

a glass retaining member, the glass retaining member including a partition portion and a die-molded portion, the partition portion receiving a side edge of a fixed glass at one side thereof and receiving a glassrun at an opposing side thereof, a side

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edge of an elevating glass being movable within the glassrun, the die molded portion having a narrow tip end integrally formed therewith at an upper edge thereof;

a roof weatherstrip for resiliently contacting an upper edge of the elevating glass and the tip end of the die-molded portion; and

a water receiver extending along the glass retaining member and integrally formed with the die-molded portion, the partition portion and the glassrun, the water receiver including an opening at an upper end thereof being in fluid communication with a clearance formed between the roof weatherstrip, the upper edge of the die-molded portion and the upper edge of the elevating glass, wherein a lower end of the water receiver opens into a door below a belt line of the door.--

claim 2,

line 3, changed "integrally with the die-molded" to --by--

changed line 4 to --lip--

line 5, changed "with" to --of the die-molded portion, partition portion and glass run, the lip pieces including--

line 6, changed "door" to --elevating-- and changed the last occurrence of "the" to --a--

line 7, deleted "remaining", deleted "respective" and changed "door" to --elevating--

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claim 3,

line 6, deleted "along a length thereof"

line 7, changed "being" to --adapted to be-- and changed "a" to --the--

line 9, changed "weatherstrip" to --portion of--

line 10, deleted "adjacent"

line 12, inserted --portion having a-- following "die-molded"

deleted line 18

line 21, changed "the projections for contacting" to --each projection for
contacting a respective--

changed line 22 to --side of a respective one of said first and second glass;--

changed line 23 to --the inner projection defining the first recess comprising a
first lip piece having--

deleted line 24

line 25, changed "second end" to --a distal end portion--, deleted "a side of" and
inserted --distal end portion of the-- following the last occurrence of "the"

line 26, changed "shaped to provide" to --providing--

line 27, changed the first occurrence of "the" to --an-- and deleted "the end"

deleted line 28

line 29, deleted "first glass" and changed "having a clearance" to --adapted to
define a clearance between the first water receiver and the first glass,--

deleted line 30

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changed line 31 to --an upper end of the first water receiver defining an opening for receiving water being spaced a--

line 33, deleted "tapered"

changed line 34 to --the inner projection defining the second recess comprising a second lip piece having a--

deleted line 35

changed line 36 to --distal end portion for contacting the second glass, the distal end portion of the--

line 37, changed "shaped to provide a" to --providing a second--

line 38, changed the first occurrence of "the" to --an-- and deleted the last occurrence of "the"

deleted line 39

changed line 40 to --the second water receiver adapted to define a--

changed line 41 to --clearance between the second water receiver and the second glass,--

changed line 42 to --an upper end of the second water receiver defining an opening for receiving water--

line 43, deleted "piece"

line 44, deleted "tapered" and changed "portion;" to --portion.--

deleted lines 45-55

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claim 4,

line 6, deleted "along a length thereof"

line 7, changed "a" to --the--

line 9, inserted --an upper portion of-- following "adjacent"

line 13, changed "a" to --the--

line 18, changed "outwardly from" to --along--

line 19, inserted --including a distal end portion defining a water receiver--

following "and"

line 20, changed "to form" to --and forming-- and changed "along" to --with--

line 21, deleted "length of the"

line 26, changed "outwardly from" to --along--

line 27, inserted --including a distal end portion defining a water receiver--

following "and"

line 28, changed "to form" to --and forming-- and changed "along" to --with--

line 29, deleted "length of the"

changed line 31 to --the upper end thereof, the die-molded portion including a first die-molded lip piece having a distal end forming a water receiver having an opening at the upper end of the center sash,--

deleted line 32

changed line 33, to --and the die-molded portion--

line 34, deleted "the upper end of said center sash"

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changed line 35 to --lip piece having a distal end forming a water receiver having an opening at the upper end of the center sash, and--

deleted line 36

changed line 37 to --the water receivers provide--

line 38, changed "path" to --paths-- and changed "upper end of the center sash" to --openings--

claim 5,

line 4, deleted "window"

claim 7,

line 2, changed "a separate weather strip" to --the roofside weatherstrip--

line 3, changed "on a vehicle body, the weather strip" to --for--

line 4, changed "windows" to --glass-- and changed "a" to --the--

claim 8,

line 2, changed "a gap is" to --gaps are--

line 3, deleted "at a top of the vehicle body" and deleted "respective"

line 4, deleted "said"

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach the water receiver including an opening at an upper end thereof being in fluid communication with a clearance formed between the roof weatherstrip, the upper edge of the die-molded portion and the upper edge of the elevating glass. See lines 10-13. Additionally, the prior art of record fails to teach an upper end of the water receiver defining an opening for receiving water being spaced a predetermined distance from the upper end of the die-molded portion and an upper end of the second water receiver defining an opening for receiving water being spaced the predetermined distance from the upper end of the die-molded portion. See claim 3, lines 31-33 and lines 42-44. Finally, the prior art of record fails to teach the die-molded portion including a first die-molded lip piece having a distal end forming a water receiver having an opening at the upper end of the center sash and a second die-molded lip piece having a distal end forming a water receiver having an opening at the upper end of the center sash. See claim 4, lines 31-35.

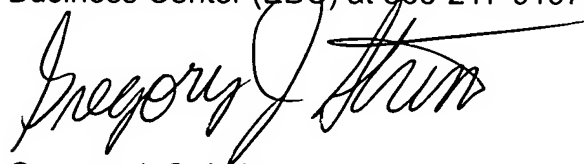
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory J. Strimbu
Primary Examiner
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February 4, 2005